

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

ELLIOT TRAVIS BACON,

Plaintiff,

vs.

SGT. TAYLOR, SGT. HIGHLEY, and  
JIM SALMONSEN,

Defendants.

CV 25-12-H-DWM

ORDER

Plaintiff Elliot Travis Bacon, a state prisoner proceeding without counsel, has filed a civil rights complaint under 42 U.S.C. § 1983, alleging violations of his constitutional rights while he was incarcerated at Montana State Prison. (Docs. 1, 2.) The Defendants were ordered to answer. (Doc. 7.) On July 2, 2025, Bacon filed a motion for preliminary injunctive relief on the grounds that the staff at Crossroads Correctional Center, where Bacon is being held, are interfering with his ability to litigate this action. (Doc. 13.) That motion is denied.

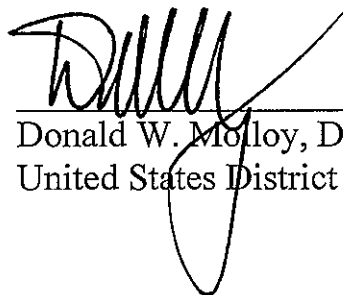
Under Federal Rule of Civil Procedure 65, a court may grant a preliminary injunction in order to prevent “immediate and irreparable injury.” Fed. R. Civ. P. 65(b). The party seeking such relief must establish: (1) he is likely to succeed on the merits; (2) he is likely to suffer irreparable harm absent preliminary injunctive relief, (3) the balance of equities weighs in his favor; and (4) the injunction is in

the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). Additionally, “there must be a relationship between the injury claimed in the motion for injunctive relief and the conduct asserted in the underlying complaint.” *Pac. Radiation Oncology, LLC v. Queen’s Med. Ctr.*, 810 F.3d 631, 636 (9th Cir. 2015). This standard is met “where the preliminary injunction would grant ‘relief of the same character as that which may be granted finally.’” *Id.* (quoting *De Beers Consol. Mines v. United States*, 325 U.S. 212, 220 (1945)).

Here, Bacon alleges that defendants, staff at the Montana State Prison, imposed unlawful punishments and retaliated against him when he filed grievances. (*See generally*, Doc. 2.) However, Bacon’s motion for preliminary injunctive relief regards his access to legal materials at a different facility, the Crossroads Correctional Center. (*See* Doc. 13.) Neither the actors nor the alleged misconduct is the same.

Accordingly, IT IS ORDERED that Bacon’s motion for preliminary injunctive relief (Doc. 13) is DENIED.

DATED this 31<sup>st</sup> day of July, 2025.

  
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Donald W. Molloy, District Judge  
United States District Court